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President's statement

PRST 34/1. Situation of human rights in Haiti

At the 59th meeting, held on 24 March 2017, thePresident of the Human Rights Council made the following statement:

"The Human Rights Council,

1. Thanks the Independent Expert forhis report on the situation of human rights in Haiti[1] and takes note of the latest legal and political developments in Haiti, in particular the following:

(a) The inauguration of the new Parliament in January 2016, the holding of legislative, presidential and senate elections in November 2016, and the holding of local elections in January 2017;

(b) The new composition of the Provisional Electoral Council, of which three of the nine members are women;

(c) The election by universal suffrage ofthe 58th President of Haiti, and his inauguration on 7 February 2017;

(d) The ratification by the Haitian Parliament of the Paris Agreement on climate change, on 12 February 2017;

(e) The inauguration of the new Government on 22 March 2017;

2. Welcomes the holding of the universal periodic review of Haiti on 7 November 2016;

3. Also welcomes the establishment on 5 September 2016 of a presidential commission on prolonged pretrial detention with a view to putting an end to human rights violations in that context, an the establishment on 25 February 2017 of a presidential commission of inquiry onthe situation of detainees in prison settings;

4. Further welcomes the submission of three conventions to Parliament for ratification, namely, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness;

[1] A/HRC/34/59.

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5. Welcomes the report of the Secretary-General on the reconfiguration of the United Nations presence in Haiti, including the United Nations Stabilization Mission in Haiti,[2] and recalls the importance of the protection and promotion of human rights in Haiti;

6. Also welcomes the new United Nations strategy to combat cholera in Haiti presented by the Secretary-General in his report on the subject[3] and welcomed by the General Assembly in its resolution 71/161 of 16 December 2016;

7. Acknowledges that the full enjoyment of all civil, political, economic, social and cultural human rights constitutes a factor conducive to peace, stability and development in Haiti;

8. Welcomes the renewed commitment of Haiti to the effective implementation of the international human rights treaties to which Haiti is a party, with the consideration of its second and third periodic reports by the Committee on the Rights of the Child in January 2016[4] and of its eighth and ninth periodic reports by the Committee on the Elimination of Discrimination against Women in March 2016;[5]

9. Encourages the Government of Haiti to continue to cooperate fully and effectively with the treaty bodies and to submit its pending reports to said bodies as appropriate;

10. Also encourages the Government of Haiti to follow up on the draft Criminal Code and draft Code of Criminal Procedure, which underpin the reform and modernization of the judicial system, and to develop and implement a strategy to reduce the duration of pretrial detention and improve conditions of detention;

11. Expresses the wish that the Haitian authorities reaffirm their commitment to improve the living conditions of Haitian women and men, including by devoting greater attention to respect for human rights, and in this regard expresses concern about the human rights challenges and encourages the Haitian authorities to make further progress in this area;

12. Notes with regret that women are underrepresented in Parliament, strongly encourages the Government of Haiti to enhance the participation of women in political life, and urges it to implement article 17.1 of the 1987 Constitution, which establishes a minimum quota of 30 per cent for women at all levels of national life;

13. Urges the Government of Haiti to continue strengthening the rule of law, by, inter alia, combating impunity and corruption and tackling crime and its causes, and strongly encourages it to continue building the capacity of the national police and the prison system, as well as strengthening measures to ensure the independence, professionalism and impartiality of the judiciary, with a view to ensuring the proper functioning of public institutions and services and the enjoyment of all human rights;

14. Encourages the Government of Haiti to strengthen national human rights institutions, in particular the Office of the Ombudsman, and to ensure the latter complies with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and to provide it with the necessary resources to perform its work completely independently;

15. Strongly encourages the Government of Haiti to continue to adopt the necessary political and legal measures to safeguard the rights of vulnerable persons,

[2] S/2017/223.
[3] A/71/620.
[4] CRC/C/HTI/2-3.
[5] CEDAW/C/HTI/8-9.

including child domestic workers and victims of human trafficking, and to accord special attention to the situation of persons who lack identity documents;

16. Also strongly encourages the Government of Haiti to continue to combat gender-based violence and discrimination;

17. Encourages the Government of Haiti to continue the search for sustainable solutions for the economic development of Haiti, based on agriculture, which is the main source of income for the majority of the population;

18. Warmly commends the important work done by the Independent Expert on the situation of human rights in Haiti within the framework of technical assistance and capacity-building;

19. Urges the Government of Haiti to implement the recommendations made by the Independent Expert in his report:

(a) Eradicate illiteracy within a reasonably short time frame;

(b) Put an end to the practice of prolonged pretrial detention, by facilitating the work of the presidential commission set up for this purpose and implementing its recommendations as soon as possible;

(c) Establish a truth, justice and reparation commission in respect of the large-scale, systematic human rights violations committed in the past;

(d) Provide access to decent housing for internally displaced persons still living in camps following the earthquake in 2010 and Hurricane Matthew;

(e) Provide Haitians or persons of Haitian origin who are living or have lived abroad and who are at risk of statelessness with the civil status documents necessary for the exercise of their rights;

20. Invites the Haitian authorities to strengthen the Interministerial Human Rights Committee established by decree of 13 May 2013, which is responsible for coordinating and harmonizing public policies in the field of human rights, in order to ensure, without discrimination of any kind, the enjoyment, respect and protection of human rights and fundamental freedoms for all, in accordance with the Constitution and the commitments entered into by Haiti, and in order to continue to work, under the chairmanship of the Prime Minister, with national and international human rights mechanisms, civil society and non-governmental organizations, with a view to implementing these recommendations;

21. Calls upon the Government of Haiti, with the assistance of the Office of the United Nations High Commissioner for Human Rights, the special procedures and the Interministerial Human Rights Committee, and in close consultation with civil society, the Office of the Ombudsman and other stakeholders, to prepare a plan of action to implement the recommendations from human rights mechanisms, including those made in the context of the universal periodic review and by the Independent Expert, to establish a national mechanism for reporting and monitoring the fulfilment of targets and indicators related to technical assistance programmes, to establish a timetable for achieving the objectives set and to identify the resources required to implement this plan;

22. Also calls upon the Government of Haiti to support a national reporting and monitoring mechanism to coordinate the implementation of the national action plan, with technical assistance from the Office of the High Commissioner;

23. Calls upon the High Commissioner for Human Rights to present an oral update on the implementation of the plan at the thirty-seventh session of the Human Rights Council, and to submit a written report at its thirty-eighth session, in the context of an interactive dialogue under item 10 of the Council's programme of work;

24. Encourages the international community as a whole and, in particular, international donors, the Group of Latin American and Caribbean States, the Caribbean Community, the group of countries known as the Friends of Haiti and the specialized agencies of the United Nations, in particular the Office of the United Nations High Commissioner for Human Rights, to step up their cooperation and coordination efforts with the Haitian authorities with a view to the full realization of all human rights in Haiti;

25. Also calls upon the international community to continue to support, upon request, the Office of the Ombudsman through technical assistance and capacity-building programmes, with a view to enabling it to contribute effectively to the promotion and protection of the fundamental rights of the Haitian people, in accordance with the Paris Principles;

26. Welcomes the decision of the Haitian authorities to continue working with the Office of the United Nations High Commissioner for Human Rights to ensure respect for and the promotion of human rights in Haiti."